IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CIVIL FILE NO. 1:16-cv-155-MR CRIMINAL FILE NO. 2-99-cr-13-MR-1

| ORDER |
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THIS MATTER is before the Court based upon the Notice of Suggestion of Death as to Petitioner Michael Taylor filed by his counsel. [Doc. 5]. Petitioner filed the pending habeas motion commencing this action on June 9, 2016. [Doc. 1]. On July 26, 2016, Petitioner's counsel filed a Notice of Suggestion of Death, noting that the Bureau of Prisons web site indicates that Petitioner died on July 25, 2016. [Doc. 5-1]. Because of Petitioner's death, Petitioner's motion to vacate is now moot.

<u>ORDER</u>

IT IS, THEREFORE, ORDERED that Petitioner's Motion to Vacate, [Doc. 1], and his Amended Motion to Vacate, [Doc. 4], are hereby **DENIED**

as moot and this action is hereby **DISMISSED** due to Petitioner's death The Clerk shall terminate this matter.

IT IS SO ORDERED.

Signed: July 27, 2016

Martin Reidinger

United States District Judge